

REMARKS

Claims 1-12 are pending in the application. Claims 10-12 were withdrawn from consideration.

The specification disclosure was objected to because of the following informalities. The Examiner seek correction as to portions of the written description, regarding page 2, lines 13-20 and page 3, lines 1-6. Respectfully, Applicant seeks additional clarification as to what specifically in the specification is incomplete. Currently, Applicant believes that the "Summary of Invention" section of the specification (i.e., pages 2 and 3), and the entire description as a whole is complete and does not violate any portion(s) or section(s) of the MPEP or CFR. If the Examiner could provide additional information and specificity, this would be most helpful for the Applicant to accurately address the objection.

Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wallace *et al.* (US Patent No. 3,951,217) in view of Schoeps *et al.* (US Patent No. 5,492,185).

Applicant respectfully traverses the rejection under Wallace and Schoeps and the rejection should be withdrawn because the combination of Wallace and Schoeps does not teach, or suggest, each and every element of independent claim 1, as amended. Specifically, Schoeps does not teach, or suggest, a "torque limiting timing device, configured to shut off fluid flow to said motor **after a predetermined time that torque has been applied by the tool has been reached**" (emphasis added), as in claim 1, as amended. The Examiner avers in the Office Action that Schoeps teaches a torque limiting timing device and points to Col. 3, lines 31-38, 41-44; and Col. 4, lines 11-13, in the specification of Schoeps for support. The Examiner further admits that Wallace "lacks a torque limiting timing device." (See Office Action, page 3). To the contrary, Schoeps discloses impulse wrench that is "arranged to compute and compare received signals with predetermined values and to initiate shut-off of the power supply (31) as a desired

10/840,132

5

tightening condition is reached.” (See Abstract). Respectfully, Applicant’s careful reading of the specification in Schoeps, in particular Col. 3, lines 30-45, indicates that Schoeps that comparisons are made by the invention between received signals and “desired target values” and the tightening process may be interrupted based upon whether desired conditions are met. Further, the conditions may be altered based upon “tightening philosophics”. None of the “tightening philosophics” disclosed are: time, time that torque is applied, and the like. The philosophics listed are “torque level”, “yield limit”, and “clamping force”. There is no suggestion or disclosure of time(s) being selected so as to shut off air flow. Further, Wallace does not remedy the glaring deficiency in Schoeps. Thus, the rejection of claim 1 should be withdrawn and the claim allowed.

In that claims 2-9 depend from independent claim 1, they too should be allowed.

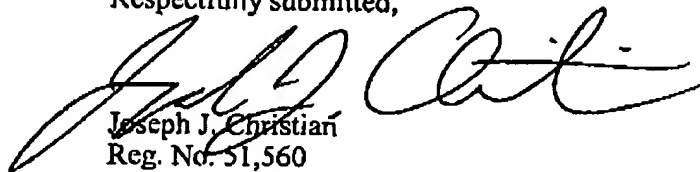
CONCLUSION

Based on the preceding amendments, Applicant respectfully submits that claims 1-9 and the entire application meet the acceptance criteria for allowance and therefore request favorable action. If the Examiner believes anything further would be helpful to place the application in better condition for allowance, Applicant invites Examiner to contact Applicant's representative at the telephone number listed below. The Director is hereby authorized to charge and/or credit Deposit Account No. 19-0513.

Date:

6/22/05

Respectfully submitted,



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